

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

Pending before the Court is the Report and Recommendation of United States Magistrate Judge Carl W. Hoffman, (ECF No. 141), which recommends that Plaintiff's Unopposed Motion for Approval of Proposed Settlement, Incentive Award, Attorneys' Fees and Litigation Expenses and Settlement Administration Expenses (ECF No. 137) be granted.

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a de novo determination of those portions to which objections are made. *Id.* The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. IB 3-2(b). Where a party fails to object, however, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge’s report and recommendation where no objections have been filed. *See, e.g., United States v. Reyna-Tapia*, 328 F.3d 1114, 1122 (9th Cir. 2003).

Here, no objections were filed, and the deadline to do so has passed.

1 Accordingly,

2 **IT IS HEREBY ORDERED** that the Report and Recommendation, (ECF No. 141), is  
3 **ACCEPTED and ADOPTED** in full.

4 **IT IS FURTHER ORDERED** that Plaintiff Tiffanie Padan's Unopposed Motion for  
5 Approval of Proposed Settlement, Incentive Award, Attorneys' Fees and Litigation Expenses,  
6 and Settlement Administration Expenses (ECF No. 137) is GRANTED as follows:

7 1. The Parties' Settlement Agreement is approved in full and the Parties shall  
8 allocate class payments to the Plaintiffs pursuant to the terms and conditions contained  
9 in the Settlement Agreement as supplemented by the Parties' Joint Status Report  
10 Regarding Proposed Settlement Agreement (ECF No. 138).

11 2. The Court approves an award in the amount of \$231,600 in attorneys' fees and  
12 in an amount not to exceed \$35,000 for litigation expenses to Plaintiffs' Counsel.  
13 Additionally, the Court finds that it is appropriate, and approves, increasing Plaintiffs'  
14 Counsel's attorneys' fee award by what amount, if any, the settlement administrator's  
15 expenses are less than \$28,579.85.

16 3. The Court approves payment of an incentive award to Named Plaintiff,  
17 Tiffanie Padan, in the amount of \$7,500.

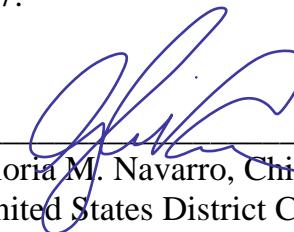
18 4. The Court appoints Rust Consulting to serve as settlement administrator  
19 pursuant to the terms and conditions of the Settlement Agreement and approves payment  
20 to Rust Consulting in an amount not to exceed \$28,579.85. Additionally, the Court  
21 approves the creation of a Qualified Settlement Fund for the administration of the  
22 Settlement Fund.

23 5. Upon entry of the Court's order approving settlement, Plaintiffs' claims will be  
24 released as set forth in the Settlement Agreement, the Parties will submit an agreed order  
25 dismissing this case with prejudice, and the Court will retain jurisdiction as to all matters

1 relating to the administration, consummation, enforcement, and interpretation of the  
2 Settlement Agreement.

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4 **DATED** this 27 day of December, 2017.

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7 Gloria M. Navarro, Chief Judge  
8 United States District Court